

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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TREADSTONE 77, INC., and JERRY HAUSER,

Plaintiffs,

- v -

LAWRENCE A. OMANSKY, ROBERT J. BARSCH,  
R.R. LOVE LTD. a/k/a LOVE PUBLISHING LTD.,  
JAMES BERNARD d/b/a EXPANSION UNION, TVT  
MUSIC, INC., WAX TRAX! RECORDS, INC.,  
CLERK OF THE UNITED STATES DISTRICT  
COURT OF THE SOUTHERN DISTRICT OF NEW  
YORK,

Defendants.  
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07 Civ. 8454 (RMB)(MHD)

ECF Case

**DECLARATION OF DIANA GUSTAFERRI**

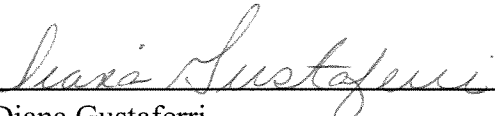
Diana Gustafarri, pursuant to 28 U.S.C. § 1746, declares, under penalty of perjury, the following:

1. I am currently a financial specialist at the Office of the Clerk for the United States District Court of the Southern District of New York (the "SDNY Clerk's Office") in New York, New York. I have worked in the SDNY Clerk's Office since 1985.
2. The statements contained in this declaration are based on my personal knowledge and upon information provided to me in my official capacity. In connection with my current role, I am generally familiar with the policies and procedures at the SDNY Clerk's Office with respect to the receipt of deposits from parties to actions before the United States District Court of the Southern District of New York.
3. On June 6, 2007, the SDNY Clerk's Office received a check in the amount of \$113,973.20 from TVT Music, Inc. and Wax Trax! Records, Inc. — the defendants in a civil action pending before this Court, *R.R. Love, Ltd., et. al. v. TVT Music, Inc., et. al.*, 01Civ. 10155 (AKH) (the "Love Ltd. lawsuit"). That check was deposited with the SDNY Clerk's Office in accordance with a June 6, 2007 Order Permitting Cash Deposit In Lieu of Bond

issued by Judge John G. Koetl, as modified on June 8, 2007, in lieu of a supersedeas appeal bond.

4. Pursuant to its statutory obligation, the SDNY Clerk's Office deposited the funds it received from the defendants in the Love Ltd. lawsuit in an interest-bearing account at the Court Registry and Investment System, where those funds remain deposited today.

Dated: New York, New York  
November 7, 2007

By:   
Diana Gustaferrri  
Financial Specialist, Office of the Clerk  
United States District Court for the Southern  
District of New York